

MAR 09 2010

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS**JUDICIAL COUNCIL
OF THE NINTH CIRCUIT****IN RE COMPLAINT OF
JUDICIAL MISCONDUCT**

No. 09-90139

ORDER**KOZINSKI**, Chief Judge:

Complainant, a pro se prisoner, alleges that the district judge assigned to his two civil cases made improper substantive and procedural rulings. These charges relate directly to the merits of the judge's rulings and must be dismissed. See 28 U.S.C. § 352(b)(1)(A)(ii); Judicial-Conduct Rule 11(c)(1)(B). A misconduct complaint is not a proper vehicle to challenge a judge's rulings on the merits. See In re Charge of Judicial Misconduct, 685 F.2d 1226, 1227 (9th Cir. Jud. Council 1982).

Complainant also alleges that the judge was biased against him on account of his pro se status and had a conflict of interest due to an unspecified "relationship" with one of the defendants and "powerful individuals in the state" where the district court is located. But complainant has provided no proof whatsoever (for example, names of witnesses, recorded documents or transcripts) to support these allegations. See In re Complaint of Judicial Misconduct, 569 F.3d

1093, 1093 (9th Cir. Jud. Council 2009). Adverse rulings do not constitute proof of bias or conflict of interest. In re Complaint of Judicial Misconduct, 583 F.3d 598, 598 (9th Cir. Jud. Council 2009). These charges must therefore be dismissed. See 28 U.S.C. § 352(b)(1)(A)(iii); Judicial-Conduct Rule 11(c)(1)(D).

DISMISSED.